



October 25, 2023

VIA CM/ECF

The Honorable Eric C. Tostrud
United States District Court
316 N. Robert Street
St. Paul, MN 55101

Re: *Minnesota Chamber of Commerce v. John Choi, et al.*
United States District Court, Case No. 23-cv-02015 (ECT/JFD)

Dear Judge Tostrud:

State Defendants submit this letter in response to Plaintiff's letter regarding expedited review. (ECF No. 67.) State Defendants respectfully request that the briefing schedule follow Local Rule 7.1—i.e., that responses will be due November 14. Plaintiff asks for expedited review but does not request a certain briefing schedule. Here, the circumstances warrant a normal briefing schedule.

The laws challenged by Plaintiff were signed May 5, 2023, and May 24, 2023. 2023 Minnesota Laws Chapter 34, art. 3, secs. 3-6; 2023 Minnesota Laws Chapter 62, art. 5, sec. 43. Plaintiff brought this lawsuit on June 30, 2023, a month after the laws were passed. (ECF No. 1.) Plaintiff then waited another three months, until September 28, 2023, to inform the parties that it planned to file a preliminary injunction motion the following week. The parties met and conferred on October 5, at which time State Defendants informed Plaintiff that they were seriously considering stipulating to entry of a preliminary injunction. Plaintiff circulated a draft proposed order on October 11, 2023. Defendants informed Plaintiff on October 18, 2023, that they would not stipulate to entry of a preliminary injunction. Defendants' due consideration regarding whether to agree to entry of a preliminary injunction should not prejudice them in terms of the briefing schedule, especially when the applicable laws were passed in May.

Sincerely,

s/ Janine Kimble

JANINE KIMBLE
Manager, Employment, Tort, PUC Division
Assistant Attorney General

(651) 757-1415 (Voice)
(651) 282-5832 (Fax)
janine.kimble@ag.state.mn.us